



1761

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:
Date: May 26, 2004 Name: Steven P. Shurtz Signature: *Steven P. Shurtz*

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: McHale et al.

Appln. No.: 08/044,240

Examiner: Curtis E. Sherrer

Filed: April 7, 1993

Art Unit: 1761

For: MULTI-PHASE SHEETED CHEWING GUM
AND METHOD OF APPARATUS FOR
MAKING

Attorney Docket No: 1391/1275

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

Substitution Amendment
 Return Receipt Postcard

Fee calculation:

No additional fee is required.
 Small Entity.
 An extension fee in an amount of \$ _____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
 A petition or processing fee in an amount of \$ _____ under 37 C.F.R. § 1.17(______).
 An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		Not a Small Entity		
					Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 43=			x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=			+\$290=	
					Total	\$		Total	\$

Fee payment:

A check in the amount of \$ _____ to cover the above-identified fee(s) is enclosed.
 Please charge Deposit Account No. 23-1925 in the amount of \$ _____. A copy of this Transmittal is enclosed for this purpose.
 Payment by credit card in the amount of \$ _____. (Form PTO-2038 is attached).
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

5/26/04

Date

Steven P. Shurtz
Steven P. Shurtz (Reg. No. 31,424)

I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
on May 26, 2004

Date of Deposit

Steven P. Shurtz, Reg. No. 31,424

Name of applicant, assignee or
Registered Representative

Steven P. Shurtz

Signature

5/26/04

Date of Signature



Our Case No. 1391/1275

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
McHale et al.)
Serial No. 08/044,240) Examiner: Curtis E. Sherrer
Filing Date: April 7, 1993) Group Art Unit No.: 1761
For Multi-Phase Sheeted Chewing Gum)
and Method of Apparatus For Making)

SUBSTITUTE AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the communication mailed May 6, 2004, for the above-captioned case, please enter the following amendment in place of the amendment mailed September 30, 2002. This amendment is fully responsive to the Office Action mailed May 29, 2002 for the above-captioned case, including the rejection of claim 15.

Amendments to the claims are reflected in the listing of claims which begins on page 2 of this paper. Remarks begin on page 7 of this paper.